



DEVAL L. PATRICK  
GOVERNOR

TIMOTHY P. MURRAY  
LT. GOVERNOR

KEVIN M. BURKE  
SECRETARY

*The Commonwealth of Massachusetts*  
*Executive Office of Public Safety and Security*  
*Department of Fire Services*

*P.O. Box 1025 ~ State Road*

*Stow, Massachusetts 01775*

*(978) 567~3100 Fax: (978) 567~3121*



STEPHEN D. COAN  
STATE FIRE MARSHAL

THOMAS P. LEONARD  
DEPUTY STATE FIRE MARSHAL

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Contact: Jennifer Mieth, (978) 567-3381

**State Fire Marshal Concludes Investigation into Danvers Explosion**  
*Offers Training for Local City, Town, Fire and Building Officials*  
*Seeks Chemical Processing Safety Legislation and Regulations*

The Department of Fire Services has concluded its code compliance investigation into the November 22, 2006 Danvers explosion and a report about the investigation into code issues at the CAI/Arnel chemical processing facility is being released today.

“One of our main objectives is to learn from this tragedy. Today we present not only our findings in the Danvers incident but also our recommendations on steps to take to prevent such a horrific event from ever happening again in our state,” said state Fire Marshal Stephen D. Coan. “We have taken three major steps. We found code violations and issued appropriate citations; we launched a series of joint training sessions to improve communication between municipal licensing, local fire and building officials; and we are seeking legislation and regulations for chemical processing safety.”

**Code Violations**

Four non-criminal citations were issued to CAI, Inc. and to Arnel Co. Inc. The violations were: failure to store flammables in a prescribed manner; failure to obtain a permit to store flammables and combustibles; failure to obtain a permit for the underground storage tanks; and failure to obtain a permit to store LP-gas. The fine for each violation is \$100. In addition, a non-criminal citation was issued to the plumber who installed oil tanks without a permit. The fine for the violation is \$100.

A criminal complaint was also sought against the two companies for storing flammable liquids and solids in excess of amounts the companies were licensed to store on the premises.

**Fire Prevention Regulations on Chemical Process Safety**

Current fire prevention regulations address safe storage of flammable and combustible liquids and solids, but not chemical processing safety. The Board of Fire Prevention Regulations began studying the need for regulations more than a year before the Danvers explosion and found few comprehensive regulatory programs dealing with chemical

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process safety that could be evaluated for adoption in Massachusetts. This absence of a state or national model led to the most important recommendation of this report – create a comprehensive system that will provide communities with resources and technical assistance to identify and manage the public safety risk associated with high hazard occupancies.

### **Chemical Processing Safety Legislation**

The Department of Fire Services, with the support of the Executive Office of Public Safety and Security and the Fire Chiefs' Association of Massachusetts, has filed legislation on chemical processing safety. It creates a chemical users certificate for facilities using or storing highly hazardous chemicals. It allows the Board of Fire Prevention Regulations to create safety regulations and empowers the State Fire Marshal to suspend or revoke the certificate for non-compliance. It proposes that the fees from this users certificate be used to establish the technical expertise necessary to ensure compliance with these regulations within the Department of Fire Services. This specialized staff would provide municipalities with the required technical expertise to analyze chemical processing safety.

### **Training for Local City, Town, Fire and Building Officials**

One of the major findings was that the companies were storing at least twice the amount of flammables or combustibles their licenses allowed without obtaining the required permits. The Department of Fire Services and the state Department of Public Safety have launched a series of training seminars for municipal licensing, fire and building officials to review the licensing and permitting requirements for storage of flammables and combustibles. The goal is to improve coordination and cooperation between land licensing authorities and fire and building permitting authorities.

### **Inspections At Time of Land License Registration Renewal**

The Town of Danvers, as a result of this incident, has established a program to inspect as part of land license registration renewals, to determine if licenses are accurate and up to date for materials stored under MGL Chapter 148, Section 13, to insure appropriate fire department permits were issued, and that facilities utilizing such materials are operating within the requirements of the state's fire prevention regulations.

The report recommends required fire department inspections before or at registration renewal for storage of flammable and combustible liquids. An inspection specific to this issue would allow fire officials to work with business owners to ensure flammable and combustible liquids are being stored correctly, and determine that the limits of the license and permits are not exceeded. The report encourages communities to adopt such a practice now, and recommends the Board of Fire Prevention Regulations codify this practice in the state's fire code to provide the same level of protection and oversight responsibility to all communities and fire districts.

The report can be viewed online at [www.mass.gov/dfs](http://www.mass.gov/dfs). Follow the links to Danvers Fire Code Investigation Report. The Department of Fire Services previously released the results of the cause and origin of the explosion and information on how to obtain a copy is also on the website.